682 house to borrow sugar for the funeral feast—a request which was refused.
578 As I was the priest's guest, I could not attend the funeral; but it must have been interesting, for the murderer was one of the chief mourners—perhaps honestly so. My suggestion that he should be handed over
[692] to the Turkish authorities in Scutari for punishment was not received at all well by anyone; and it was pointed out to me that had it not
771 been the Will of God the man could not have died of only two bullets. Many men live with more in them. This curious case suggests that in earlier days the house lord may have had the power of life and death over his subjects.

MURDER OUTSIDE THE TRIBE

682 The tribe inflicts no punishment. The Turkish Government got its
628 fine if it could. Fines, in fact, being part of the Government's revenue, no effort was made to stop blood-taking by it.

The relatives of the murdered man take blood for him, of the family of the murderer if they can. An intertribal feud may become so intense that two whole tribes are "in blood." Peace can only be established by
[727] a Council of Elders of both tribes. When made, it was sometimes strengthened by marrying the daughter of one party to a man of the
[608] other. Or blood brotherhood may be sworn. The blood-gelt, fines, and the peace oath are as already described.

WOUNDING

683 A wound inflicted intentionally comes under the laws for blood. The house of the guilty man can be burnt and his goods can be seized (this in Dukagini), as in case of murder, if the elders examining the case think fit. He is liable to have his own blood taken by the injured man or his relatives. Blood of his son and brother may be taken (Dukagini).
[693] Con-jurors up to twenty-four may be called, but according to the nature of the injury a smaller number may suffice. The fine paid is in proportion to the wound, and is decided by the elders. The price to be paid for a death—a fatal wound—is taken as standard, and the wound reckoned as one-half, quarter, tenth, etc., of a death price. It is, in fact, payment for the amount of blood lost.

In the case of a wound given accidentally, the house is not burnt, but the wound must be paid for. A man I knew, playing with a rifle, accidentally shot a woman through the foot and, unfortunately, made her lame for life. He had to pay fifteen napoleons to her husband (for damaging his property), and had to undertake to pay a further fifteen should the woman die at any future time as a result of lameness.

SYSTEM OF GOVERNMENT

000 (Ministria Komonda e Përgjithshme e Mprojtjes Kombëtare).

631 The administration of interior affairs of the State are based on the laws of May 13, 1928. The State is divided into 193 communes, administered by ten Prefectures. These are: Tirana, Durazzo, Scutari, Dibra, Kosova, Elbasan, Korça, Berat, Vlona and Gjinokastra. The prefectures are assisted by 31 sub-prefectures. The centrum is the Ministry of Interior Affairs at Tirana. Every prefecture has attached an administrative council composed of the Prefect as President (Chairman) of the Council, the Mayor, and the next high official of the prefecture are members in addition to the four aldermen elected by each commune for two years. The sub-prefectures are the assisting organs of the prefectures. Prefects, Sub-Prefects and the Mayors are appointed by the Albanian Government and are State officials.

Villages with more than 2,500 population are designated as communes; villages with less population are attached to communes for administrative purposes.

692 At the seat of every prefecture exists a Superior Court, with appellate jurisdiction,

3: Redlich S-3 (no date) 1936 EG1 Albania EG1

which is a court of original jurisdiction in cases where sums over 2,500 Gold Francs are involved. 692

At the location of every sub-prefecture exists a Magistrate's court, with jurisdiction in civil and commercial affairs up to the sum of 2,500 Gold Francs.

Appellate and Supreme Courts are located in Tirana.

All courts have also criminal jurisdiction.

The laws administered by the courts are based on the law of February 7, 1929. 671

The laws are administered on the basis of the Civil Code of May 1, 1929, which was prepared on the basis of the Italian, French and Swiss Codes; a Criminal Code of January 1, 1928, based on the Italian Codice Penale; the Commercial Code of March 10, 1932, with all modern inclusions covering bankruptcy and negotiable instruments; the Code of Civil Procedure of April 1, 1929, which is based on the Austrian and Italian Civil Procedure. The Civil Procedure Code and Criminal Procedure Code are under consideration for revision.

There is a Notarial Law of 1929, based on

[Constitution]

It is forbidden to use the church and religion for political purposes. 659

Likewise, political organizations based on religion are also forbidden.

The state may assist religious communities materially.

ARTICLE 17

Marriage and family are protected by the state. The legal conditions of marriage and family are fixed by law. 585

Legal marriages can be performed only by competent representatives of the government. After celebrating a civil marriage a citizen may celebrate a religious marriage according to the rules of his creed.

The courts of the state only are competent to determine all questions concerning marriage. [692]

Parents have the same obligations towards their illegitimate children as to those born in wedlock. Illegitimate children have the same rights as those born in wedlock. [848]

ARTICLE 18

Freedom of speech, freedom of press, freedom of organization, freedom of assembly and of public demonstration. are guaranteed to all citizens. 641

ARTICLE 19

Personal inviolability is guaranteed to all citizens. Nobody can be arrested for more than three days without a court warrant or without the approval of the district attorney. 671 641 [694]

No person shall be punished for a crime without the decision of a competent judge in conformity with the law which defines the crime and the competence of the court

No punishment shall be determined and inflicted except as prescribed by law.

No person shall be punished without a hearing nor without being summoned to defend himself according to law, except in a case where his absence is legally established

The administrative organs of the state may give jail sentences for common law misdemeanors as prescribed by law.

[Constitution]

TITLE IV

Courts and Department of the Attorney General

(a) *Courts* 692

ARTICLE 75

The judicial organs of the People's Republic of Albania are: The Supreme Court, the People's Courts of the prefectures and subprefectures, and the Military Courts.

Special Courts may be created by law for specific questions. [698]

ARTICLE 76

The courts give their decisions in the name of the people.

The courts are independent in the exercise of their own functions. They are separated from all the administrative branches of government. Their decisions cannot be altered except by higher courts.

The higher courts are empowered within the law to control lower courts.

The Ministry of Justice directs and controls all matters of judicial administration and organization. [645]

ARTICLE 77

The courts try cases according to law. 695

ARTICLE 78

In principle, court sessions are open to the public.

ARTICLE 79

In principle, the decisions of the courts are given for the entire bench. The judicial personnel of the subprefectures and prefectures sitting as a court of original jurisdiction is composed of permanent judges and juries, both of whom have equal rights.

Penal verdicts of more than ten years cannot be given by a court of original jurisdiction but only by a court of the prefecture or by a higher court.

ARTICLE 80

The official language in all courts is Albanian. 191 695

[Constitution]

191 695 Any citizen who does not know Albanian may use his own language through an interpreter.

ARTICLE 81

692 The Supreme Court is elected for four years by the People's Convention of the Republic and by secret ballot.

The courts of the prefectures are elected for three years by the people's councils of the prefecture and by secret ballot.

[666] The judges of the subprefectures are also elected for three years by the people's councils of the subprefecture and by secret ballot.

A person may be elected judge many times.

The manner of election to all courts will be defined by law.

ARTICLE 82

The Supreme Court is the highest judicial body of the People's Republic of Albania.

[698] The Supreme Court can arbitrate any conflict of jurisdiction between the civil and military courts as well as between courts and any other bodies.

Cases in which the Supreme Court acts as a court of original or secondary jurisdiction will be defined by law.

ARTICLE 83

The Supreme Court passes on the legality of all court decisions of the Republic.

693 [692] Only the District Attorney may exercise an appeal against a summary decision of the courts. The decision given on such an appeal has no effect on the cause tried except when the law provides otherwise.

(b) *Department of the Attorney General*

ARTICLE 84

693 646 The Department of the Attorney General is the organ of the People's Convention which supervises the execution of the law by the ministries and other administrative bodies as well as by all public officials and citizens.

ARTICLE 85

The Attorney General of the People's Republic of Albania

and his assistants are appointed by the People's Convention. 693
District attorneys of the prefectures and subprefectures are appointed by the Attorney General. [646]

ARTICLE 86

All district attorneys are independent of the local governmental units and are responsible only to the Attorney General, from whom they receive orders and instructions.

ARTICLE 87

District attorneys are authorized to initiate penal actions and also to exercise the right of appeal as well as the right to intervene during a judicial or administrative trial. District attorneys can exercise the right of appeal against summary decisions of the courts and other administrative organs when such decisions are illegal. [692]

ARTICLE 88

The district attorney of the military courts of the national army of the People's Republic of Albania and other military attorneys are appointed by the Commander-in-chief of the armed forces of the Republic. [701]

TITLE V

Relation Between the Executive and Administrative Departments

ARTICLE 89

The Presidium of the People's Convention may annul or suspend decrees, instructions, and decisions of the government when they are unconstitutional and illegal. 642

The government may annul or suspend decrees, ordinances, instructions and decisions of ministers when they are contrary to the laws, decrees, instructions and decisions of the government.

ARTICLE 90

The Presidium of the People's Convention and the higher people's councils may suspend any illegal or irregular act of the lower people's councils. 643 631

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

a first-born may be inefficient, the mantle of a dead or dying head falls on the son who in the opinion of all the adult males in the household is the best fitted to keep it together, irrespective of whether he is the eldest or not.[1] This combination of birth and unanimity of choice gives these heads the strength of inevitability, so that they can be neither envied nor rebelled and intrigued against, but must be recognized and implicitly obeyed by their subordinates—a most important factor in keeping the peace.

Before the Turks left in 1912, the headship of a northern village or tribe descended in the same family, always to the head it had chosen for itself. Since 1912 successive Albanian governments have slightly modified this system. In non-tribal areas like Mat, Martanesh and Shpat there has been less need for a change; as far back as we can go, the head of the average village or group of villages has been elected by the community for his personal qualities in the same way as the head of a house. A few villages of Mat, however, had long been ruled by the landlords (*begs* or *beys*) who owned them; after 1912 the power of these landlords, the Zogu family excepted, was curtailed by the central government like that of the bajraktars of the north.

In the old days the laws were administered as well as enacted or revised by the ruling rank, who were collectively known as elders. The system was elaborate, with public trials over which elders presided, and at which evidence was taken from witnesses on oath as well as from the plaintiff and the accused, and a jury might be asked to render a verdict. Fines were the usual penalty for petty misdemeanours, and temporary banishment, permanent expulsion or death for serious offences; a modified form of imprisonment also existed. Offences against the cohesion of the social fabric, as understood by the mountaineers, were reckoned more serious than crimes against an individual. Thus parricide was graver than fratricide; the first struck a blow at parental authority, an essential part of the social structure, but since one brother had no right to rule another except in special cases, fratricide was little worse than an ordinary murder and hardly a public concern.[2] The murder of a neighbour or the theft of his property seldom entered the serious category until the criminal became an habitual offender. Then the community, regarding the man as a social menace from whom none of its members was safe, took whatever action the law laid down for

[1] See Chapter V.

[2] See Chapter V, p. 38.

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

its defects, of course; sometimes a judge took a bribe or a man bore false witness in spite of the deterrents devised against such malpractices. Yet the legal system worked well on the whole, was often speedier and always cheaper than any European counterpart, and left few crimes unsolved. What chiefly precluded modern Albanian governments from adopting the unwritten laws, however, was their diversity. This was mainly due to the isolation in which the geography of their country compels the mountaineers to live, and the fact that they do not settle permanently at altitudes more than 3000 feet above sea-level, but live on the lower slopes of the mountains enclosing their settlement and in summer graze the upper slopes as far as the mountain crests, where a carefully demarcated boundary indicates the end of their property.

Communications were as dangerous as they were difficult. As a result the principle of delegating one man to represent a big geographical unit was not established until modern times. It was regularly practised in small units, where the delegate had to travel only a short distance, and that through known, if not friendly, country. It was enough that one man should represent his house at a General Meeting of his village or tribe, but it was unthinkable to the mountaineers to hold General Meetings at which laws for the whole area might be passed as in an English Parliament. At best two adjoining communities might meet to settle a dispute about their common boundary or a road or forest, and after much argument make laws about the matter that were binding on both. More usually, a village or tribe drew up or revised rules for its own governance without any regard to what others, ten, twenty or fifty miles away, were doing. The outlines of a law might approximate in different groups, especially if there had been some ancestral connexion between them, but the details of the law were as varied as the minds that shaped them in the various communities.

The isolation in which it lived bred a fierce individualism in each community. This prevented it from submitting to the laws of another, except in an emergency. Then it might call in an elder from outside to decide a case and afterwards consider his ruling law. Such an elder had to be specially renowned for wisdom and sound judgement, and with one known exception his influence never ran far beyond the distance he could ride in safety and comfort from his own community.

That exception was Lek Dukagjini, an ancient law-giver of such

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

escorting him to town, guarding him during his stay there and escorting him home again. If they refused without justifiable cause to give him such service, he withdrew his support from them at least for a time.

The bajraktar was also much occupied with local administration. Here he was assisted by one or more headmen, hereditary officials like himself. Independently or together, he and they checked quarrelling, judged and formulated new laws. He was admittedly their superior, and when their views diverged his prevailed. If pressure of work made him think an increase in their number desirable, he had power to make extra appointments provided only that he first submitted the names of his nominees to the Turkish government for approval. In short, he was the acknowledged head of the local administration.

As supreme administrative head the bajraktar had power to summon a general meeting for administrative as well as military purposes. If the matter at issue was important and affected the whole tribe, he sent the *kasnec* (tribal messenger) to command the presence of one man per house. If narrower issues were involved he summoned only one or more headmen and the local *gjobtarë* (fine-collectors) or other elders. Plenary meetings dealt with anti-social acts grave enough to involve the death penalty or expulsion, judged cases of sacrilege against the church, tightened up tribal discipline by enacting new or re-enacting old laws, decided whether to revolt or not against the Turkish government, and heard important messages from the government. In 1908 a plenary meeting[1] was held by each tribe to decide whether or not it should accept the Young Turk Constitution. Smaller meetings handled business where fines were sufficient punishment for transgression. Notably they regulated grazing rights, fixing the day for a general move to summer pastures, stipulating how many animals each family might feed on a common. They also regulated wood-cutting rights and controlled the supply of water for irrigation. The bajraktar presided at all such meetings, took an active part in the deliberations, and signed or set his seal on any minutes that were kept. He and the elders, as being socially superior, sat apart from the commoners. In the Malësi e Madhe he sat on the ground while the tribesmen stood respectfully on their feet.

[1] See M. E. Durham, *Some Tribal Origins, Laws and Customs of the Balkans*, p. 74.

[the local military leader--Analyst]

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

In certain cases the bajraktar and the local headman could act alone. For example, in case of sacrilege against the church they had power to pronounce even a death sentence. In practice, however, they preferred to consult the tribe and the ecclesiastical authorities. After the Young Turks introduced their constitution in 1908 they tried to make everything in Albania very legal and proper. If land was bought, for example, they required a deed of conveyance where the word of witnesses had formerly sufficed. The best lawyer in the land might write out the document and great men witness it, but it had no legal validity until the bajraktar and local headmen had affixed their seals.

As a legal figure the bajraktar had special weight. If called to serve on a jury of twenty-four men, his single person was counted equal to the twelve jurors left unnamed by the elders. A peace made in his presence was particularly binding. If at all distinguished he was often called in by another tribe to settle a dispute that had baffled its own elders. In his own tribe, besides acting as judge in many ordinary cases, he was ultimate referee in all difficult cases. Boundary disputes, the most fertile source of trouble among these land-starved tribes, were often referred straight to him for settlement. Disobedience to his ruling might entail the worst penalties. Particularly in the Malësi e Madhe, he and the local headman had power to appoint elders to settle a quarrel. If these failed to do so, or were found to have based their decision on a false oath by one of the litigants, it fell to the bajraktar and the local headman to reopen the case and to pronounce a final judgement. If a headman judged a case and gave a verdict the bajraktar disliked, he could upset this verdict and substitute one of his own. But neither headman nor elders could upset his judgements; these were always final and unalterable.

All the above applies to the non-tribal areas of central Albania as much as to the northern tribes. Mus Ballgjini of Çermenikë, for instance, was almost more famous as a law-giver than as a military leader. By a seeming exception the bajraktar of the Perlat tribe of Kthellë did not judge but left such matters to the elders. The explanation of the anomaly probably lies in his notorious incompetence. It was every bajraktar's province to judge in peace as well as to lead in war.

In all areas the jurisdiction of the bajraktar was subject to certain limitations. If the commoners did not like one of his decisions,

n - [the local military leader and administrative head--Analyst]

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692 [622] If the commoners did not like one of his[1] decisions even if made in concert with the headmen and elders, they were not bound to abide by it and could compel him to re-examine the case. Neither he nor a headman could, singly or in combination, fine a tribesman without first securing authority from the tribe. After all, he and the headman might have a personal grudge against the man and might fine him for no other reason. To take an example [619] from the non-tribal valley of Bulqizë, Miftar Meta the bajraktar and Lam Isaku his assistant were much respected and admired but they had no power, on their sole responsibility, to fine a man from Fushaj, their own village. Still less had they power to fine a man from another village in Bulqizë. They could not act in either case [623] until they had secured the backing of the culprit's village at a general meeting. Nothing less, it was felt, guaranteed the impartiality of the sentence.

693 623 If a bajraktar misconducted himself, all the headmen and commoners of his tribe, or possibly the commoners alone, sat in judgement on him. They could not ostracize, expel or burn him out like an ordinary criminal; he was too inherently a tribal institution for that. But they could, and did fine him. In 1907,[1] the Kryezi tribe assembled in plenary session, one man from each house, and fined its bajraktar and headmen 100 rams and an ox for some judgements they could prove to have been unjustifiable and prejudiced. The commoners could also ask an erring bajraktar to give a rifle or other valuable as security for his good behaviour in the future.

693 The misconduct for which a bajraktar was fined was seldom more heinous than sending his sheep to pasture on another's ground or pronouncing a biased judgement. On the whole, each was so carefully selected and trained by his predecessor in office that he rarely committed the graver crimes. When one did, he was sure to be so 'strong', i.e. influential, that the tribesmen thought it more prudent to close their eyes to his iniquity. There was much grumbling at the venality of bajraktars, but neither the tribal law nor the Turkish government took cognizance of this offence. If 693 687 a bajraktar,[1] serving as judge or arbitrator, took a bribe, the only remedy lay in the individual tribesman's freedom to choose another law-giver next time. If a bajraktar accepted a 'present' for doing a favour, there was no remedy at all. His victim could only comfort himself by noting how God, or Allah, punished such greed. It was

[1] See Appendix, Document XII, p. 271.

[1 the bajraktars--Analyst] 2 [the local military, administrative and judicial head--Analyst]

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CHAPTER XIII

THE ADMINISTRATION OF JUSTICE

It was the law that every injustice done by Albanian to Albanian must be righted by means of elders and pledges, not by killing. This was crystallized in the adage, 'Killing for a fault is not permissible'. If, for instance, a man caught his neighbour stealing his sheep he had no right to kill him. He should bring him before an elder who would set the proper legal machinery in motion against him, even sending him if necessary before a General Assembly.

Associated with the elders in the administration of justice were the bajraktar and voivodes with, in Mirditë, the Gjomarkaj family. They were not judges in the Western European sense of public officers appointed to administer the law. They were men who judged by right of birth or weighty personality within their native area and they were permanent officers, irremovable so long as their physical powers lasted. They were always illiterate, trained only in the school of experience; practical men and not theorists. It was their special function to preserve the peace in their area by wise and just judging. They were in the literal sense of the words Justices of the Peace. But they could only interpret and apply the law. To make it was the prerogative of a General Assembly of the tribe.

As administrators elders received no fees, nor did they receive any when serving as juror or murder elders. But they were almost invariably paid for judging or arbitrating. In the Dibër area their fee was simply called 'pay', but it was camouflaged as 'sandals' in the north and Mirditë, and as 'coffee' in the south. In north Albania, where the formula was 'fee by the jobs', the fee was fixed and varied with the case. In Lumë, for instance, it was six Turkish pounds in a murder case and a watch worth one napoleon in a water dispute. In Mirditë it was five grosh for a case slight enough to finish in one morning and ten grosh for more serious cases in which the elder, stone on shoulder, had to give his oath. Ten grosh was the canonical fee in Kastrat after the Convention of 1892.[1] In Perlat the fee was adjusted to the client's means, an oke

[1] See Appendix, Document V, § 17, p. 264.

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

published in the Albanian newspaper *Tomori* on 7 November 1942,[1] a curious mixture of Fascist ideology and ancient mountain law. But the decisions were honoured only in the breach. A few months later, many hundreds of families represented at the meeting were homeless, victims of Italian reprisals for their persistent revolts.

Sometimes a tribe met in plenary session to deal with inter-tribal matters. It might have quarrelled with a neighbour over a grazing or forest boundary between their territories, or the neighbour might be harbouring one of its dangerous criminals. In either case the tribe had to meet in plenary session, first of all to discover by public argument the best way of enforcing its boundary rights or procuring the surrender of the criminal, and secondly to secure public sanction for the steps it decided on. These might even include war. Miss Durham describes a General Assembly of Shalë which she witnessed in 1908.[2] The Moslem tribes to the north and east, surreptitiously armed by the Turkish government, had threatened to massacre Shalë and its Catholic associates if they did not embrace Islam by the next Ramazan. Shalë met in General Assembly, and amid scenes of wild enthusiasm passed a resolution to warn its Moslem neighbours that within seven days of their receiving notice Shalë and its fellow-Catholics would be at war with them.

Sometimes a pair of tribes met in plenary assembly for mutual aid. Several examples of contracts made on such occasions are given by Father Gjeçov; translations of three appear as Documents IV, VII and VIII.[3] In the first the tribes of Nikaj and Mertur pledge the safety of man and beast at certain times of the year. The second is between the tribes of Nikaj and Shalë in 1894, and the third, dated 1895, is between Nikaj and Curraj, a 'brotherhood' of Nikaj. In these latter, each contracting party guarantees the safety of the other's tribesmen when travelling along certain specified roads in its territory; in the first Shalë's guarantee is extended to tribesmen of Shosh, its western neighbour, and Nikaj's guarantee to tribesmen of Mertur, its eastern neighbour. In this way they facilitated a considerable amount of movement from tribe to tribe. Such documents were really an early form of passport, allowing the tribesmen of one tribe 'to pass freely without let or hindrance' in the territory of the other.

[1] See Appendix, Document XIII, p. 272.

[2] Op. cit., pp. 71, 72. [3] See Appendix, pp. 263, 265, 267.

10: Hasluck F-5 (1926-1939)1954 EG1 Albania EG1

each seeking their support. Had four refused at this stage to take the oath Asllan would at once have been publicly convicted—if less than four, two substitutes would have had to be produced for every one that refused; two for one, four for two, and six for three, and there would have been no extension of the time limit. In this case, however, all the compurgators agreed to swear to Asllan's innocence, and he himself, towards the end of the week, swore on the Koran that he had nothing to do with the theft. Later the compurgators, led by Qazim's nominees, took the oath of Asllan's innocence before the whole village. Actually, Qazim cut short the proceedings after six or seven had sworn, as by then the compurgators most likely to know the truth had sworn to the suspect's innocence.

Having celebrated his acquittal with a banquet to the compurgators, Asllan two days later yoked the stolen ox, hidden during the case in a lonely sheepfold, to his plough. Now, although the mistake—either designed or accidental—of the compurgators was obvious, there was no legal machinery for annulling the verdict. In the opinion of the village, however, Asllan received his punishment when shortly afterwards his son was born lame.[1]

Qazim in Labinot put his case into the hands of the headman of his village. In the tribal north he would have entrusted it to the elder of his brotherhood, ward or village or perhaps to the bajraktar of his tribe.

Tribal officials, being hereditary, had more authority to act for their community than had the temporary headman in non-tribal districts such as Labinot. In Milot, the most northerly village of Kurbin, the victim tackled the suspect himself, asking him first if he had committed the outrage and then if he would take oath that he had not. In view of the fieriness of Albanian tempers this information is surprising—one would expect shooting to put an abrupt end to such an interview—but it is confirmed by information from the neighbouring village of Laç. When one of its inhabitants denied having received a loan, the lender asked him directly to swear in the presence of two or three witnesses that he had never been lent the money.

Only men of military age and capacity had standing enough to

[1] A very similar system of compurgators exists among the Naga tribes of Assam. There, however, though in some tribes there is no means of modifying the verdict if an oath prove to be false, in others a compurgator who discovers that his principal is lying can 'withdraw his life', otherwise in danger from the false oath, and so reopen the case *ab initio*. (Ed.)

10:Hasluck F-5 (1926-1939)1954 EG1 Albania EG1
[Laws enacted in Kastrat and Bajzë on Nov. 1, 1892]

681 2. Wounding a man means a fine of 1500 grosh and 12 rams.

[627] 3. Whoever fines another without doing it through a General Assembly and by common consent, will be fined 1000 grosh and 10 rams.

4. Whoever disputes with another or calls him names or aims his rifle at him in the following places—Breg i Shpellës, Viri, and Krue i Ri —will be fined 1000 grosh and 10 rams.

5. Whoever breaks down another's hedge in order to make a patch for himself must pay 150 grosh (3 rams) to the owner of the hedge.

6. Whoever murders anyone on the high road will be fined 3000 grosh and 24 rams.

7. Whoever robs another's house or sheepfold will be fined 500 grosh and 5 rams.

8. Whoever dishonours a woman or an engaged girl will be fined 3000 grosh and 10 rams.

[692] 9. Whoever does not wish to engage elders and goes away saying 'May I never forgive you' will be fined 500 grosh and 5 rams.

[233] 10. Whoever lets his animals graze on another's land will be fined 250 grosh and 3 rams.

[423] 11. A man who will not hear of fencing in his portion of land, going halves in the fence with his neighbour, will be fined 250 grosh and 3 rams.

12. A man who does not meet his obligations at the term fixed will be fined 23 grosh.

13. Whoever steals an ox, a cow or a horse in his own village will be fined 500 grosh and 5 rams.

14. A man who does not respond to the village's call to come to a General Assembly or some other requirement of the village will be fined 250 grosh.

[487] 15. A man who closes a gap which has always been in the hedge will be fined 150 grosh.

[623] 16. The chiefs are to meet in General Assembly once a year, one week after St John's Day. Whoever does not conform to this decision will be fined 500 grosh.

[693] 17. 'Pledge elders' are not to take more than 10 grosh as their fee for a judgement, and commoners not more than 5 grosh.

[628] 18. Whoever murders his adversary after their feud has been compounded by order of the government will be fined 12 purses and expelled from the village and turned into a ghost.

681 231 19. A dog which enters a vineyard with a wooden collar on its neck may not be killed. A dog which enters a vineyard or field without a wooden collar may be killed.

20. Whoever brings a house-dog with him to church or to Shpellë will be fined 50 grosh.

10: Hasluck F-5 (1926-1939)1954 EG1 Albania EG1
[Covenant of Mat, 1942]

any political intriguers against the present régime who may be found within its territory.

2. If, after the conclusion of this covenant, one man kills another with or without just cause, his family shall be punished by the people of Mat with banishment from Mat for three years and his property, both movable and immovable, shall be confiscated and become state property.

3. The same penalties shall be imposed on any man who runs off with a betrothed girl or a married woman.

4. When a domestic animal has been stolen and the thief cannot be found, the village to which the tracks lead must either pay the animal's value or prove that the tracks lead away from its land.

5. Whoever aids criminals and gives them food and shelter renders himself liable to the penalties detailed in clause 2.[1]

6. Whoever carries arms of any description without declaring them renders himself liable to the death penalty.

7. Whoever spreads false rumours about the policy of the State, public security or public finances to the detriment of the present régime and its policy shall be punished as laid down by the Lieutenant-General's decree No. 185.[2]

8. The people's representatives are to regulate and to examine all complaints which may be made concerning land, irrigation, water, roads and forests and if a commission succeeds in settling a dispute between two persons, the decision of the commission shall be inviolable. If it is contested, the contestants shall take the matter to the proper court.

9. Land in Mat is generally held without regular title-deeds and ownership is proved by nothing but a written receipt (*senet*) and a meal according to the local custom. It appears that lately the ownership of properties bought 5, 10, 20 or 30 years ago with a receipt and a meal, as witnesses also confirm, is often disregarded or if regarded, is a constant source of disorders and murder. To put an end to such quarrelling the local Commission must not meddle with exchange of land so made until the Government has registered all the land according to the laws concerned.

10. The chairman of the Commission shall be the local sub-prefect, and its members the political secretary of the sub-prefecture, the gendarmerie commander, the Fascist Albanian militia's commander, and the representatives of the people who assist in drawing up the present covenant.

11. It is learned that Communists or, as some call them, Bolshevists, have made their appearance among us. We must get rid of these persons

[1] (Author's note. At this time the term 'criminals' included not only transgressors of the law but also patriots resisting Italian rule.)

[2] (Author's note. No copy of this decree can be found.)